

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

NIPPON SHINYAKU CO., LTD., Plaintiff,)	
v.)	
SAREPTA THERAPEUTICS, INC.,)	C.A. No. 21-1015 (GBW)
Defendant.)	
)	
SAREPTA THERAPEUTICS, INC.,)	
Defendant and Counter-Plaintiff, and)	
UNIVERSITY OF WESTERN)	
AUSTRALIA, Counter-Plaintiff)	
v.)	
NIPPON SHINYAKU CO., LTD., Plaintiff)	
and Counter-Defendant and)	
NS PHARMA, INC., Counter-Defendant.)	

NIPPON SHINYAKU CO., LTD. AND NS PHARMA, INC.’S MOTION TO COMPEL

Nippon Shinyaku Co., Ltd. and NS Pharma, Inc. (collectively, “Nippon Shinyaku”) hereby move the Special Master to (1) compel Sarepta Therapeutics, Inc. (“Sarepta”) to produce Sarepta’s license agreements for antisense oligonucleotide and Duchenne Muscular Dystrophy (“DMD”) therapies beyond merely the accused product Vyondys53®; and (2) compel Sarepta and the University of Western Australia (“UWA”) to make at least one of Dr. Sue Fletcher and Dr. Graham McClorey—named co-inventors of the UWA Patents asserted by Sarepta and UWA in the instant action—available for deposition.

The reasons for the instant Motion are set forth in the accompanying letter brief in support, which is incorporated herein by reference.

June 15, 2023

Respectfully submitted,

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Counterclaim Defendant NS Pharma, Inc.*

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